

Jury Trial
Requested
please!!

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
DIVISION

Saretta Mildred Gross

(Print your full name)

Plaintiff *pro se*,

v.

United Parcel Service

Teamsters Local 728

(Print full name of each defendant; an
employer is usually the defendant)

Defendant(s).

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

MAR 25 2021

CIVIL ACTION FILE NO. 1:21-CV-1247
By: JAMES N. HATTEN, Clerk
Deputy Clerk

1:21-CV-1247
(to be assigned by Clerk)

PRO SE EMPLOYMENT DISCRIMINATION COMPLAINT FORM

Claims and Jurisdiction

1. This employment discrimination lawsuit is brought under (check only those that apply):



Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., for employment discrimination on the basis of race, color, religion, sex, or national origin, or retaliation for exercising rights under this statute.

NOTE: To sue under Title VII, you generally must have received a notice of right-to-sue letter from the Equal Employment Opportunity Commission ("EEOC").

✓

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 et seq., for employment discrimination against persons age 40 and over, or retaliation for exercising rights under this statute.

NOTE: To sue under the Age Discrimination in Employment Act, you generally must first file a charge of discrimination with the EEOC.

✓

Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., for employment discrimination on the basis of disability, or retaliation for exercising rights under this statute.

NOTE: To sue under the Americans With Disabilities Act, you generally must have received a notice of right-to-sue letter from the EEOC.

✓

Other (describe) In this case, I Saretta M. Gross
has not committed the Alleged unprofessionalism
toward no one in H.R Department at UPS.
Nor, have I shown any mis conduct issues
at UPS, toward any supervisors, or Union
officials. My discharge process was substantially
and procedurally a Constructive Unfair Dismissal.
Company has breach of Contract with Teamsters Local
They never used the "JUST CAUSE Effect". 728.

2. This Court has subject matter jurisdiction over this case under the above-listed statutes and under 28 U.S.C. §§ 1331 and 1343.

Parties

3. Plaintiff. Print your full name and mailing address below:

Name Saretta M. Gross
Address P.O Box 942
Mableton, Georgia 30126

4. Defendant(s). Print below the name and address of each defendant listed on page 1 of this form:

Name United Parcel Service
Address 3689-3699 Sandy Creek rd.
Atlanta, Georgia

Name Teamsters Local 728
Address 2540 Lakewood Ave SW
Atlanta, Georgia 30315

Name _____
Address _____

Location and Time

5. If the alleged discriminatory conduct occurred at a location different from the address provided for defendant(s), state where that discrimination occurred:

6. When did the alleged discrimination occur? (State date or time period)

From 2018 Small Sort - 2019-2020-2021
work area
Aug-Dec JAN

Administrative Procedures

7. Did you file a charge of discrimination against defendant(s) with the EEOC or any other federal agency? ☒ Yes ☐ No

If you checked "Yes," attach a copy of the charge to this complaint.

8. Have you received a Notice of Right-to-Sue letter from the EEOC?

☒ Yes ☐ No

If you checked "Yes," attach a copy of that letter to this complaint and state the date on which you received that letter:

9. If you are suing for **age discrimination**, check one of the following:

☒ 60 days or more have elapsed since I filed my charge of age discrimination with the EEOC

☐ Less than 60 days have passed since I filed my charge of age discrimination with the EEOC

10. If you were employed by an agency of the State of Georgia or unsuccessfully sought employment with a State agency, did you file a complaint against defendant(s) with the Georgia Commission on Equal Opportunity?

____ Yes

☒ No

____ Not applicable, because I was not an employee of, or applicant with, a State agency.

If you checked "Yes," attach a copy of the complaint you filed with the Georgia Commission on Equal Opportunity and describe below what happened with it (i.e., the complaint was dismissed, there was a hearing before a special master, or there was an appeal to Superior Court):

11. If you were employed by a Federal agency or unsuccessfully sought employment with a Federal agency, did you complete the administrative process established by that agency for persons alleging denial of equal employment opportunity?

____ Yes

☒ No

____ Not applicable, because I was not an employee of, or applicant with, a Federal agency.

If you checked "Yes," describe below what happened in that administrative process:

Nature of the Case

12. The conduct complained about in this lawsuit involves (check only those that apply):

☐ failure to hire me
☐ failure to promote me
☐ demotion
☒ reduction in my wages
☒ working under terms and conditions of employment that differed from similarly situated employees
☒ harassment
☒ retaliation
☒ termination of my employment
☐ failure to accommodate my disability
☐ other (please specify) Failed to give me Due Process

with handling all my Grievances. I was threaten to be moved by Supervisor Larry Taylor for having an ADA Accommodation.

13. I believe that I was discriminated against because of (check only those that apply):

☒ my race or color, which is Black African American
☐ my religion, which is _____
☒ my sex (gender), which is _____ male ☒ female
☐ my national origin, which is _____
☒ my age (my date of birth is 7/22/78)
☒ my disability or perceived disability, which is:

can't recall Medical Term for Disability at this time.

☐ my opposition to a practice of my employer that I believe violated the federal anti-discrimination laws or my participation in an EEOC investigation

☒ other (please specify) Company Failed to Follow Company's policies and procedures when disciplining me.

14. Write below, as clearly as possible, the essential facts of your claim(s). Describe specifically the conduct that you believe was discriminatory or retaliatory and how each defendant was involved. Include any facts which show that the actions you are complaining about were discriminatory or retaliatory. Take time to organize your statements; you may use numbered paragraphs if you find that helpful. Do not make legal arguments or cite cases or statutes.

pg 7 of 8

I was hired by UPS in Nov. of "2018". My most recent position was Unload Tender II. I am a person with a disability. On August 12, 2020 Supervisor Larry Taylor gave me a Warning letter for calling in sick on August 11, 2020. On August 14, 2020 while trying to clock-in I let Larry Taylor know that I'm still without a timecard and that its been weeks without one. Larry Taylor said, well I don't know what to tell you then I literally spend around and walked away. On August 14, 2020 I went to H.R. to speak with H.R. Don Miller to let him know that I was still without a timecard but, I've been writing my time down. Don Miller began yelling and disrespecting me. Telling me that if I want him to do anything for me then I need to put it in writing until I put it in writing then he can't do anything for me. then told me now get out of my office. I said, I'm 42 years old you will not speak to me like this I said, I'm leaving I left H.R. and went over to security to let Marvin Redd know what just happen and how rude and disrespectful Don Miller was at me. (Attach no more than five additional sheets if necessary; type or write legibly only on one side of a page.) Continue on Employee Discrimination Complaint.

15. Plaintiff ☒ still works for defendant(s)
☒ no longer works for defendant(s) or was not hired

16. If this is a disability-related claim, did defendant(s) deny a request for reasonable accommodation? ☐ Yes ☒ No

If you checked "Yes," please explain: _____

17. If your case goes to trial, it will be heard by a judge unless you elect a jury trial. Do you request a jury trial? ☒ Yes ☐ No

Request for Relief

As relief from the allegations of discrimination and/or retaliation stated above, plaintiff prays that the Court grant the following relief (check any that apply):

- ☒ Defendant(s) be directed to for Retaliation, Discrimination, Mental Emotional Distress, Loss wages Punitive Damages
- ☒ Money damages (list amounts) 1 million dollars URS
560,000 Teamsters Local 728
- ☒ Costs and fees involved in litigating this case
- ☒ Such other relief as may be appropriate

PLEASE READ BEFORE SIGNING THIS COMPLAINT

Before you sign this Complaint and file it with the Clerk, please review Rule 11 of the Federal Rules of Civil Procedure for a full description of your obligation of good faith in filing this Complaint and any motion or pleading in this Court, as well as the sanctions that may be imposed by the Court when a litigant (whether plaintiff or defendant) violates the provisions of Rule 11. These sanctions may include an order directing you to pay part or all of the reasonable attorney's fees and other expenses incurred by the defendant(s). Finally, if the defendant(s) is the prevailing party in this lawsuit, costs (other than attorney's fees) may be imposed upon you under Federal Rule of Civil Procedure 54(d)(1).

Signed, this _____ day of _____, 20____


(Signature of plaintiff *pro se*)

Saretta Gross
(Printed name of plaintiff *pro se*)

P.O. Box 942
(street address)

Mableton, GA 30126
(City, State, and zip code)

Pepsiola10@gmail.com
(email address)

(470) 623-3324
(telephone number)

Employment Discrimination Complaint

Saretta M. Gross
03/26/2021

VS

United Parcel Service
Teamsters Local 728

Marvin red asked do you need a timecard I say, Yes

**So Marvin Redd of security at Ups made me one less
than 5 minutes.**

**Then asked, if I knew how to check my time I said, at one point I
did but with all this harassment it has slip my mind.**

So I returned to my work area but, was greeted by employees

and union steward saying here is a timecard all of a sudden then

I let them know that I have a timecards now I just got one less

than five minutes from security.

I returned to my work area and began working Marvin comes up to

me and says Don Miller want you back in H.R Marvin say I think

they are trying to fire you Marvin says this makes no sense.

When returning to H.R Mike Welch tells me back in twenty

nineteen you signed a Harassment paper I said, Yes do you have

that paper Mike welsh quickly response saying NO! Then reads me

a harassment paper. I ask why am I being read a harassment paper I haven't harassed anyone. Mike welsh says yeah Larry said, something happened yesterday I said nothing happed yesterday. Mike Welch said ok! What they're going to do to you is take you out of service for 5-10 days. However, this was followed by another Warning Letter and a Discharge letter on August 14, 2020.

On August 18,2020 after speaking to Matt Higdon President of teamsters local728.Inreguards to properly filing out a grievance so Matt Higdon instructed me on what to put on the grievance saying put things like this is unjust, and that I need to be reinstated immediately but, at this point because of how I was treated I was feeling like I've been bullied by my H.R Department Don Miller and supervisor Larry Taylor. Also feeling like the union isn't fighting for me in enforcing the Agreement between UPS and Teamsters728.

However, they began to carry the same disposition towards me as the company UPS.I totally didn't see any of these things coming at all. I didn't understand why, I was being singled out from other employees for complaining about not having a timecard and

because of my age 42. Younger workers were treated better than older employees. I've stayed Humble the whole time in the company's actions. I never disrespected anyone at UPS or Teamsters local 728, Ive just been treated unfair. Then I began to get a call from Matt Higdon and Mikel McKenzie talking very manipulative to me saying that the company has worked something out with the Union and that I need to go back to work when asked about pay I was told that I was worried About the wrong things and go back to work like we said, just talking to me very disrespectful. However I didn't feel comfortable doing so because I felt like my rights were being violated. Also because of prior harassment, sexual harassment, Retaliation, and Discrimination by supervisors and Don Miller, for just being a female and because of how I look. I was constructively Discharged I also contacted EEOC in 2019-2020 about sexual harassment and discrimination. UPS has failed to state a reason for my termination. Don Miller was discriminatory towards me because I complained about not having timecard for weeks. But other employees had their timecard though. Being singled out all

the time is unfair. UPS has breached their duty of care. Don Miller acted incompetent towards me as an employee and he didn't care if I had a timecard or not, which is unfair followed by a Discharge. Don Miller and H.R is supposed to enforce policies and procedures but they disregarded all procedures when it came to disciplining me. However, UPS and Teamsters local 728 has breached the contract between each other. UPS failed to use the JUST CAUSE EFFECT" when disciplining me in the teamsters contract it says employer must use the Just Cause Effect when disciplining an employee or discharging. There have been many days I've walked out of work crying about being sexually harassed /harassed and no one has done anything. I've told P.E workers, H.R Managers, and Employee Services Managers. I even went as far as writing a complaint to Human Resources and employee services but UPS never responded, in regards to the wrongful discharge. I was blocked from unemployment for Seven months. I've been stripped from my healthcare benefits to the point that I owe 15,000 in medical bills and I have no idea of how I will pay that. On the day I was discharged Don Miller or Larry Taylor never spoke to me

about any mis conduct problems or any issues they had with me it went like we taken you Out Of Service and somebody will call you and tell you when to return. Followed by Larry Taylor giving me a Discharge paper. There was never a discussion about me becoming discharged. I thought that a termination for cause is when an employer and Union local728 has sufficient reason to let an employee go. But in my situation Ups had insufficient evidence for discharging me. Also because of all this unjust my life isn't the same can't sleep, Mental distress feeling depressed, can't focus at times, loss wages etc. Larry Taylor has been changing my Employee records. Altering my timecard records. Suspending me without pay Larry Taylor was retaliatory towards me by not providing me with a proper timecard. Taylor has been discriminatory as well because I shot down all his advances and also reported Taylor to H.R Manager Erin Erwin about harassment and filed many grievances on Larry Taylor also contacted the EEOC about sexual harassment since 2019-2020' Larry Taylor has discriminated on me by paying the males more than women. When Taylor found out by Don Miller that I had ADA Accommodations he

quickly said, that higher management moved me. When I asked, higher management about the move she said, that is false and that I should put in a grievance on Larry every time he harasses me. But no one has disciplined Larry for his actions. Larry and Don Miller needs to be held accountable. Larry has showed me company cards American Express Card" Saying if I sleep with him he can buy me anything I want.etc. Union local 728 has shown no compassion in this matter. Union has not explained my rights to appeal against all disciplinary and grievances decisions that I consider wrong and unfair. I haven't been given proper due process UPS and Teamsters local 728 Matt Higdon and Mikel McKenzie have breached its duty of fair representation. By not fair Bargaining and making sure I get fair pay. Union has blocked my Unemployment for 7 months, by not providing a reason for my discharge. Teamsters has refused to process my grievances because I criticized Union officials, Union have not enforced the Contract Agreement with UPS, saying that the company denied all of my grievances. Teamsters 728 Matt Higdon and Mikel McKenzie have been very rude towards me. On October 27, 2020 Matt

Higdon President of local 728, Matt told me that he will appreciate me if I never called local 728 again. I've wrote into teamsters 728 and requested to appeal grievances but no respond I asked for the transcript for my grievance as well and was told that I will never get that after being told by Matt Higdon to put all request in writing. Teamsters has showed me that they have no intentions on fair bargaining for me.

Respectfully,

Ms. Gross

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Saretta M. Gross**
P.O. Box 942
Mableton, GA 30126

From: **Atlanta District Office**
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

410-2021-02531

Deante Topps,
Investigator

(404) 562-6971

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Enclosures(s)

For

3/16/2021


(Date Issued)

Darrell E. Graham,
District Director

cc:

TEAMSTERS LOCAL 728
James D. Fagan, Esq., (for Respondent)

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 410-2020-07639	
and EEOC			
<i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) MS. SARETTA M GROSS		Home Phone (470) 623-3324	Year of Birth 1978
Street Address P. O. BOX 942, MABLETON, GA 30126		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name UPS SMART HUB		No. Employees, Members 501+	Phone No. (317) 532-3523
Street Address 3689-3699 SANDY CREEK ROAD, ATLANTA, GA 30331		City, State and ZIP Code	
Name		No. Employees, Members	Phone No.
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 08-12-2020 08-18-2020 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I was hired by the above-named employer on November 26, 2018. My most recent position was Unload Tender II. I am a person with a disability. On August 12, 2020, Supervisor Larry Taylor gave me a warning letter. On August 14, 2020, while in HR, Don Miller began yelling and harassing me. Mike Welch told me I was being taken out of service however, Larry Taylor informed me I was discharged. On August 18, 2020, after filing several Union Grievances Mike Hill McKenzie and Matt Higon told me to return to work, however I did not feel comfortable doing so and was constructively discharged. Larry Taylor gave me a warning letter for calling in sick on August 11, 2020, and returning without a Doctors note. Mike Welch took me out of service because he stated, something happened on August 13, 2020. I refused to return to work because I was not paid for time worked, I was verbally and (previously) sexually harassed, as well as intimidated. I believe I have been discriminated against because of my disability, in violation of Title I of			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Saretta M. Gross**
P. O. Box 942
Mableton, GA 30126

From: **Atlanta District Office**
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

410-2020-07639

Robyn Conley,
Investigator

(404) 562-6856

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Darrell E. Graham,
District Director

1/7/2021

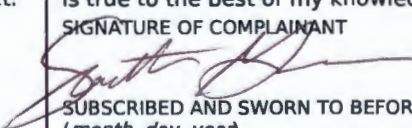
(Date Mailed)

Enclosures(s)

cc:

Kenard D. Smith
Labor & Employment Paralegal
UPS, INC.
55 Glenlake Parkway, N.E.
Atlanta, GA 30328

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
		410-2021-02531 and EEOC	
_____ <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) MS. SARETTA M GROSS		Home Phone (470) 623-3324	Year of Birth 1978
Street Address P.O. BOX 942, MABLETON, GA 30126		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name TEAMSTERS LOCAL 728		No. Employees, Members 15 - 100	Phone No. (404) 622-0521
Street Address 2540 LAKEWOOD AVE S.W., ATLANTA, GA 30315		City, State and ZIP Code	
Name		No. Employees, Members	Phone No.
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 10-27-2020 01-29-2021 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
<p>I. On August 14, 2020, I was discharged from UPS Smart Hub. On August 17, 2020, I asked Matt Hidgon, Union President, Local 728, for help filing a grievance. Mr. Hidgon gave me the information I needed to properly file a grievance. On October 27, 2020, I asked Mr. Hidgon about my backpay, the fair bargaining agreement, and if the union was representing me. Mr. Hidgon said, 'I would appreciate it if you do not contact local 728 anymore.' On January 28, 2021, I requested a copy of the union bargaining agreement, the contract between the union and UPS Smart Hub, and transcripts of my grievances. I also asked about a letter of recommendation and severance pay. Mr. Hidgon told me to put my request in writing. On January 29, 2021, I put my request in writing. The Teamsters Local 728 has breached its duty of fair representation by not properly representing me.</p> <p>II. Mr. Hidgon told me he does not have a copy of my grievances and there was nothing in the collective agreement with UPS Hub Smart, which provides for severance pay or a recommendation letter. Mr. Hidgon told me UPS Smart Hub was ordered to pay me backpay.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

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Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC **410-2021-02531**

and EEOC

State or local Agency, if any

I was not provided a copy of the contract between the union and UPS Smart Hub employer. I received a copy of the union bargaining agreement.

III. I believe that I have been discriminated against based on my race (African American), in violation of Title VII of Civil Rights Act of 1964, amended (Title VII), and my age (42), in violation of the Age Discrimination in Employment Act of 1967, as amended (ADEA), and retaliated against for engaging in protected activity, in violation of Title VII and the ADEA.


I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT


 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (month, day, year)

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC**410-2020-07639**

and EEOC

State or local Agency, if any

the Americans with Disabilities Act of 1990, as amended. My age (42), in violation of the Age Discrimination in Employment Act of 1967, as amended. My sex (female), race (African American), and in retaliation for opposing unlawful employment acts, in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - *When necessary for State and Local Agency Requirements*

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT



SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)